



IFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q91859

Motokuni ICHITANI, et al.

Appln. No.: 10/561,971

Group Art Unit: 1751

Confirmation No.: 1635

Examiner: NOT YET ASSIGNED

Filed: April 19, 2006

For: BINDER RESIN FOR COATING PASTE

LETTER

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450


Alexandria, VA 22313-1450

Sir:

Further to the Information Disclosure Statement filed March 15, 2006, for the Examiner's information, Applicants have obtained and attach hereto a copy of an English translation (6 pages) of the International Preliminary Report on Patentability, which cited no additional references.

Respectfully submitted,

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CUSTOMER NUMBER

Date: June 28, 2006

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference SK289WO	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2004/009127	International filing date (<i>day/month/year</i>) 28 June 2004 (28.06.2004)	Priority date (<i>day/month/year</i>) 26 June 2003 (26.06.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant SEKISUI CHEMICAL CO., LTD.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 24 April 2006 (24.04.2006)
Facsimile No. +41 22 740 14 35	Authorized officer <div style="text-align: center; font-weight: bold;">Yoshiko Kuwahara</div> Telephone No. +41 22 338 90 90

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

SK289WO

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2004/009127

International filing date (day/month/year)

28.06.2004

Priority date (day/month/year)

26.06.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

SEKISUI CHEMICAL CO., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/009127

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/009127

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	7, 9	YES
	Claims	1-6, 8, 10-11	NO
Inventive step (IS)	Claims	7, 9	YES
	Claims	1-6, 8, 10-11	NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations:

Document 1. JP 2002-283699 A (Konica Corp.), 03 October 2002, Claim 4
(Family: none)

Document 2. JP 63-79752 A (Kuraray Co., Ltd.), 09 April 1988, Claims; page 4,
lower left column; examples 2-5

(Family: none)

Document 3. JP 63-79741 A (Kuraray Co., Ltd.), 09 April 1988, Claims; page 3,
lower left column; examples 2-5

(Family: none)

Claim 1

The invention of claim 1 does not appear to be novel or to involve an inventive step.

The modified polyvinyl acetal resin comprising structural units (1), (2), (3), and (4) of the invention of claim 1 is described in document 1, document 2, and document 3 described in the ISR, and the content quantity of each structural unit overlaps with the modified polyvinyl acetal resin of the invention of claim 1 and the resin described in documents 1-3; therefore no difference is found as resin itself (refer to the claims of document 1, the claims of document 2, and the claims of document 3).

Claims 2-6

The inventions of claims 2-6 do not appear to be novel or to involve an inventive step.

The inventions of claims 2-3 restrict the structural unit (2) and R2 to the invention of claim 1, and this point is described in documents 1-3 described in the ISR (refer to the claims of document 1, the claims of document 2, and the claims of document 3).

The inventions of claims 4-6 restrict the viscosity to the invention of claim 1; however, as mentioned above, inasmuch as apparently no difference is found as resin itself from the resin described in documents 1-3 cited in the ISR, and no difference is found in the degree of polymerization (refer to document 1 (paragraph 0055); document 2 (examples 2-5); and document 3 (examples 2-5), it cannot be said that difference occurs in the viscosity, either.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/009127

Box No. VI Certain documents cited

1. Certain published documents (Rule 43bis.1 and 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
JP 2004-68013 A	04.03.2004	18.07.2003	23.07.2002
[E, X]			

2. Non-written disclosures (Rule 43bis.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/009127

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

Claims 8, 10, 11

The inventions of claims 8, 10, and 11 do not appear to be novel or to involve an inventive step.

The inventions of claims 8, 10, and 11 are methods for forming a film containing an inorganic powder for use as a binder resin for a ceramic paste or a coating paste. The resin of the invention of claim 1 is used to substantially restrict the invention of claim 1, and this matter is described in documents 1 and 2 cited in the ISR (refer to document 1 (claims and paragraph 0040) and document 2(claims).

Claims 7, 9

The inventions of claims 7 and 9 appear to be novel and to involve an inventive step.

The conductive paste and glass paste of the inventions of claims 7 and 9 are neither described in documents 1-3 cited in the ISR nor appear to be easily achieved by a person skilled in the art.